

KENTUCKY REAL ESTATE APPRAISERS BOARD

TYPE OF MEETING

Regular Meeting

DATE AND LOCATION

August 28, 2009 – Board Office

PRESIDING OFFICER

Dorsey Hall, Chair

ROLL CALL

Present:

Dorsey Hall, Chair
Paul Moore, Vice Chair
Loren Huff, Board Member
Sam E. Blackburn, Board Member
G. Herbert Pritchett, Board Member

Present Also:

Larry Disney, Executive Director
Angie Thomas, Staff Assistant
James Grawe, Board Counsel
Dennis Badger, Investigator

Chair, Dorsey Hall opened the meeting and welcomed the guest. The guests in attendance were Susie Helm, KAR and Andy Peak. A motion by Loren Huff, second by Paul Moore and the Board unanimously approved the July 24, 2009 minutes.

EDUCATION

Motion by Herbert Pritchett, second by Loren Huff and the Board unanimously agreed to approve the following education courses for fiscal year 2009-10:

A. Appraisal Institute – New Courses

- (1) On-line Data Verifications Methods – 5 hours CE
- (2) On-line An Introduction to Commercial Green Buildings – 7 hours CE
- (3) On-line Advanced Internet Search Strategies – 7 hours CE
- (4) On-line Appraisal Curriculum Overview – 8 hours CE

EXPERIENCE

Motion by Sam Blackburn, second by Paul Moore and the Board unanimously agreed to accept staff recommendation and approve the following experience:

- (1) Robert Galloway – Approve for Certified General

Motion by Paul Moore, second by Sam Blackburn and the Board unanimously agreed to accept staff recommendation and reject the following experience:

- (1) Robert E. Cleary – Reject experience for Certified Residential. Request one additional residential report for experience review.
- (2) Karen Keown – Reject experience for Certified Residential. Request one additional residential report for experience review.
- (3) Deana O'Neal – Reject experience for Certified Residential. Request applicant and supervisor contact Larry Disney concerning the deficiencies in the appraisal report.
- (4) Betty Thomas – Reject experience for Certified General. Request an up to date experience log and one additional residential appraisal report that will be selected from the up to date log.

CERTIFICATION/LICENSURE

Motion by Paul Moore, second by Sam Blackburn and the Board voted to approve a total of seven (7) individuals for certification/licensure.

- (1) Eric S. Daugherty – Associate
- (2) Roger Galloway – Certified General
- (3) Amanda Murphy-Sanders – Associate
- (4) Christopher C. Parsley - Associate
- (5) Ryan Scott Stanger – Associate
- (6) Michael J. Thorpe – Associate
- (7) Joseph H. Waters - Associate

B. Christopher C. Parsley – Applying for Associate license with prior convictions – Motion Sam Blackburn, second by Herbert Pritchett and the Board voted unanimously to approve Mr. Parsley for Associate license. The certification/licensure list will reflect the approval.

COMPLAINT

- A. Case Summary Flow Chart

B. Dennis Badger – Report on the contractor activities

- (1) A request was made by Dennis Badger to be reimbursed for meals and travel expenses for the ASB trip on September 11 and the AARO meeting on October 11-13, 2009. Motion by Paul Moore, second by Sam Blackburn and the Board agreed to reimburse Mr. Badger for the requested travel expenses.

C. The Board was advised there have been a total of 42 cases filed for 2009.

D. Larry Disney advised the Board all cases one year and over must be closed within the next 90 days if at all possible. He also stated that it is his responsibility to have the cases investigated and closed within one year when legally possible. He advised the Board that no case should carry over one year without legal action or other sufficient reasoning for a delay.

E. Case No. – 08-60 – Motion by Herbert Pritchett, second by Sam Blackburn and the Board agreed to dismiss the case.

F. Case No. 09-11 - Motion by Paul Moore, second by Sam Blackburn and the Board agreed to dismiss the case.

G. Case No. 08-73 – Motion by Sam Blackburn, second by Loren Huff and the Board agreed to dismiss the case.

H. Case No. 09-08 - Motion by Sam Blackburn, second by Paul Moore and the Board agreed the case will be dismissed upon completion of the following items prior to September 30, 2009. Respondent shall be considered serving a probation status with leave to reopen the matter unless the following conditions are satisfied and unless complete the terms of the following agreement within the time stipulated.

1. Credit for the Supervisor/Associate course already completed in 2009
2. Pay a \$300 fine when the agreed order is returned; and
3. The Board shall review the associate log, if requested, for a period of 2 years from the date of the agreed order.

I. Applicants that have not completed agreed order requirements. Motion by Paul Moore, second by Sam Blackburn and the Board agreed to set the cases for a hearing.

J. Individuals that did not answer grievance - Motion by Herbert Pritchett, second by Paul Moore and the Board agreed to set the following cases for a hearing:

- (1) 09-13 – William D. Bramble
- (2) 09-27 – Johnny Johnson
- (3) 09-29 – Richard Beckley
- (4) Discussion of Lynn Prichard Case No. 04-63 with violations of a pending agreed order. Jim Grawe advised he would meet with Prichard's Attorney and report to the Board at the September Board meeting with a status of compliance or a hearing date.

Motion by Herbert Pritchett, to rescind the first motion and make another motion to set the cases for a hearing after the investigation report has been completed, a second by Loren Huff and the Board unanimously agreed.

MISCELLANEOUS

- A. Request from Chuck Toler to waive \$200 late penalty fine for not renewing by June 30, 2009 for medical reasons – Motion by Sam Blackburn, second by Paul Moore and the Board unanimously accepted the request of Mr. Toler and agreed to waive the penalty fine.
- B. AQB – Public Meeting Summary – July 10, 2009
- C. Budget ending July 31, 2009 – Chairman, Dorsey Hall appointed Sam Blackburn to work with the staff to help with the budget preparation for 2010-2011 and 2011-2012.
- D. Regulation Changes
 - (1) KAR 30:010
 - (2) KAR 30:030
 - (3) KAR 30:040
 - (4) KAR 30:050
 - (5) KAR 30:070
 - (6) KAR 30:180
- E. KREAB Staff Position – The Board accepted the recommendation to not hire immediately and table for a two year period. Herbert Pritchett commended Mr. Blackburn and staff on the report.
- F. 2010 KREAB Seminar Dates and Outline
 - (1) January 15, 2010, Friday – Holiday Inn University Plaza, Bowling Green, KY
 - (2) February 19, 2010, Friday – Holiday Inn Hurstbourne, Louisville, KY
 - (3) March 11, 2010, Friday – Four Points by Sheraton, Lexington, KY
- G. Appraisal Subcommittee Review Findings – The Board reviewed the findings
- H. Investigation Contract – Remaining Funds - \$20,214.82 (of which \$3,000 is for travel and \$17,214.82 investigations). Motion by Sam Blackburn, second by Paul Moore to increase the contract by \$30,000. The Board rescinded the vote and a motion was made by Sam Blackburn, second by Paul Moore and the Board agreed to increase the contract and additional \$55,000.
- I. Stay of Administrative Order for Matt Miniard
- J. Board Discussion on the cost of ordering the USPAP Manuals – Motion by Herbert Pritchett to amend Statue to take out that the Board will provide a USPAP and not reduce the fees. Motion dies for lack of second.

NEW BUSINESS

- A. September Board Meeting - September 18, 2009 at 1:00 p.m.
- B. Mark Mitchell Hearing – October 28-29, 2009 – 9:00 a.m.
- C. Larry reported the he and Sam Blackburn met with the Senator on the AMC Regulation.
- D. Herbert Pritchett made a motion and second by Loren Huff to amend the Statutes to reflect the following:
 - 1. Take out the mention of fees in the Statutes and refer to Administrative Regulations
 - 2. Fines – Reword Statute language to include the investigation cost in fines.

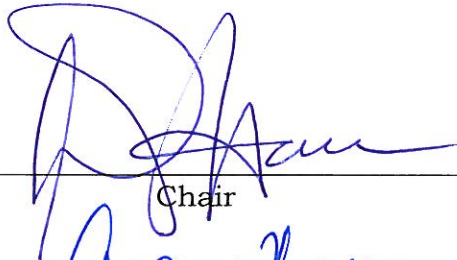
Sam Blackburn made a comment concerning amending the Statutes to add in the investigation cost in penalty fines. James Grawe, Board Counsel made recommendation to add wording in the Statute \$2,000 "per violation". Herbert Pritchett agreed to change the Statutes to reflect "per violation". The Board agreed to get an Attorney General's Opinion on the change.

The Board agreed to work with James Grawe, Board Counsel and Larry Disney to amend the language in existing statutes:

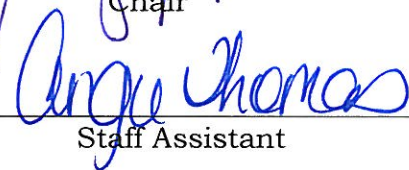
1. Omit any mention of fees in Statues and add language in the Regulations.
2. Revise wording to reflect \$2,000 "per violation".

The next Board meeting is scheduled for Friday, September 18, 2009 – 1:00 p.m. at the board office.

Motion by Paul Moore, second by Herbert Pritchett and the Board voted unanimously to adjourn the meeting.



Chair



Staff Assistant